

**HUNGRY HORSE COUNTY WATER AND SEWER DISTRICT
BOARD OF DIRECTORS' REGULAR MEETING
Thursday, December 17, 2020 at 6:00 p.m.
Location: Water District Office, 528 Colorado Blvd., Hungry Horse, Montana**

A. Call to Order: 6:06 p.m. by President Wagner

B. Roll Call:

Those present: President Doug Wagner, Vice President Vivian Allen, CFO Jamie Foster, Director Brent Schmidt, Director Richard Hardesty

Staff: General Manager/Operator Ben Shafer, Bookkeeper Judy Rosenbaum, Secretary Rita Venable attending via cell phone audio.

C. (:28) Approval of Minutes: November 19, 2020 minutes. President Wagner asked for approval and review of the member's and staff's changes made to the November minutes. He preferred the board should have the corrections and minutes approved by all people involved, prior to meetings and at the meetings if something is disagreed with, discuss it and then approve the minutes. Because not all directors were able to view on their computers the comments and changes in the draft minutes, the secretary went through all the changes she had for the November minutes with board approval of them. The Board again discussed opinions and ideas for a condensed or detailed format of the minutes, the process to be used for approving meeting minutes and which reports are to be attached to the minutes and emailed to the County. President Wagner asked which minutes are still to be approved. The Secretary listed the seven meeting minutes from the months of September and October which have been prepared, but not been approved. The Board decided to wait on finishing and approving minutes until after the attorney answers the Board's legal questions regarding the minutes. President Wagner instructed the Secretary to make the changes to the November 19th minutes previously submitted by members and staff and to email the draft to the board and staff with all changes hi-lighted for their review. September and October minutes are to be re-emailed again to the Members and Staff.

D. (26:23) Public Comment – None

E. (26:29) Reports – All reports from monthly meetings are available upon request from the Water District Office.

1. Bookkeeper's Reports – Judy Rosenbaum, Bookkeeper

a. Payne West Insurance Questions and Answers – The insurance broker is out the office. Tabled again until next month.

b. **(27:47)** Financial Statements were reviewed and discussed.

- Directors Report 11/30/2020
- Balance Sheet as of November 30, 2020
- Profit and Loss Budget vs Actual Statement July 2020 – June 2021
- Unpaid Bills Detail
- **(45:48)** Cash Balance as of 12/17/2020. Discussed moving funds to an interest bearing account, but no determination was made.
- **(49:14)** Past Due List as of 12/14/2020 – not attached
- Adjustments
- **(51:25)** Cash Flow Projection July 2020 – June 2021

c. **(52:04)** Bills to be paid

(54:49) President Wagner moved to pay the bills. All in favor. All ayes. Motion carried.

Resolved to pay the bills.

d. **(58:39)** Correspondence

- Received a Rural Water staff member's opinion on raising late fees. The Board discussed MCA statute and Executive Director of MRWS Mr. Camden's advice provided June 2020 regarding late fee increases. Mr. Camden had stated there are no codes on late fees and late fees would be addressed in the District's Bylaws. After discussion the decision was made to keep District's current \$1.50 late fee increase in effect.

- Letter requesting leak forgiveness. The Board will consider forgiveness once the Board receives proof the leak has been repaired.

(01:10:10) VP Allen moved that the District receive verification the leak has been attended to before we make a decision. All in favor. All ayes. Motion carried.

Resolved the District receive verification the leak has been attend to before we make a decision.

- Note to disconnect service
- USPS new address
- Certified Postage Return Receipt. The DNRC received Water Rights Form
- State Fund dividend from 2018
- Check from the County for November for delinquent accounts sent to taxes

e. **(1:13:14)** DNRC Refi Update. No response from Anna Miller of DNRC.

f. **(1:13:54)** Website News/Update. GMO and Bookkeeper both state they have not had time to work on the website. The Bookkeeper was instructed to procure several proposals for the Board to review for customer's payment options on the website and also ACH options.

(1:26:36) VP Allen moved we ask our Manager Bookkeeper to proceed with acquiring a domain name for the Water District website and also proceed, if possible, with obtaining credit card payment services if they don't need us to sign a contract and if the per transaction fee being charged to the District is fifty cents or less. Second by Director Schmidt. All in favor: President Wagner, Vice President Allen, CFO Foster, Director Schmidt all ayes. Abstained: Director Hardesty. Director Hardesty would like more research done.

RESOLVED we ask our Manager Bookkeeper to proceed with acquiring a domain name for the Water District's website and also proceed, if possible, with obtaining credit card payment services if they don't need us to sign a contract and if the per transaction fee being charged to the District is fifty cents or less.

g. **(1:28:50)** Bulk Mailing Costs Update. Bookkeeper has not had time to get ahold the outfit in Idaho.

h. **(1:30:07)** Employee Pay Period and Pay Dates Update. The District is not in compliance with State law that requires employees to be paid within ten days from the end of the pay period.

(1:37:55) Director Schmidt moved to change the pay period for the Water District's employees' from the first of the month to last of the month to the tenth of the month to the tenth of the following month.

(1:41:44) The Board changed Director's Schmidt's motion from the tenth to the tenth to the tenth through the ninth. All in favor. All ayes. Unanimous. Motion carried.

Resolved to change the Water District's current monthly pay period of the first through the last day of each month to a pay period of the tenth of each month through the ninth of the following month.

2. **(1:42:20)** Manager's Report – Ben Shafer, General Manger/Operator

a. Telemetry Update. The Bookkeeper requested the GMO provide a written estimate, an agreement and the time frame for the Telemetry project. The GMO advised the Board should be prepared for a possible 10% cost overrun. Bookkeeper will use \$40,000.00 in the budget, and GMO will check if the initial \$1800 annual fee is included in the bid.

(1:55:53) Director Schmidt moved that we authorize our General Manager/Operator to move forward with Chuck Wombecke and Josh Elliot on the bids that they have given for our Telemetry of an amount up to forty thousand dollars. All in favor. All ayes. Motion carried.

Resolved we authorize our General Manager/Operator to move forward with Chuck Wombecke and Josh Elliot on the bids that they have given for our Telemetry of an amount up to forty thousand dollars.

b. Cost Saving Measures Update.

c. Monthly Report. **(02:05:33)** GMO presented his initial research on other small water districts' sprinkling rates. There are a variety of ways it is approached. Once research has been completed, GMO will compile an informational sheet on his research of Sprinkling Rates and his comparisons.

3. **(2:16:21)** Chief Financial Officer's Report – Jamie Foster, CFO. Nothing to report.

4. **(2:16:28) Parliamentary Report – Vivian Allen, VP/Parliamentarian**

- a. Record re Filling Board Seats since May Election

(2:16:45) VP Allen moved that we accept this report and attach it to the September Minutes when they come out. All in favor. All ayes. Unanimous. Motion carried.

Resolved that we accept this report and attach it to the September Minutes when they come out.

- b. **(2:17:18)** MCA, Robert's Rules, SOP for Minutes intended for Public Use

(2:17:49) VP Allen moved once we have Mr. Hammer's answers to those questions we call a special meeting to deal with Minutes specifically and make a final resolution on them. No vote was taken. Motion not carried.

(2:18:40) Item b. was tabled.

5. **(2:18:56) Rules and Policies Standing Committee's Report – Jamie Foster, CFO.** A rough draft is being prepared and a report will be presented at the January 2021 Board meeting. The committee's next meeting will be on January 5, 2021. CFO Foster will produce each committee meeting's minutes and put them on the District's shared drive.

6. **(2:22:19) Correspondence Report – Judy Rosenbaum, Bookkeeper**

a. Flathead County Clerk and Recorder Update. The County has not responded to the District's letter requesting written consent to email meeting minutes directly to the Election Department. The Secretary will call the County and again request their response.

F. Unfinished Business

1. **(2:24:31) SOP for Board/Manager/Secretary Interactions.** The role of Bylaws and a Manual of Procedures and regarding who is the Point of Contact or Cc between the Board and Operations were extensively discussed. **(2:38:25)** Tabled until the Bylaws are produced and submitted next month. **(2:38:25)** Tabled until the Bylaws are produced and submitted next month.

(2:38:32) Director Hardesty moved to table until the Bylaws are worked on and submitted next month. All in favor. All Ayes. Unanimous. Motion carried.

Resolved tabled until the Bylaws are worked on and submitted next month.

2. **(2:38:44) Employee Evaluation Forms.**

(2:42:03) VP Allen moved that we refer the Employee Handbook and Evaluation Forms to the Rules and Policies Standing Committee to work on as one of their next projects after the Bylaws are completed. All in favor. All Ayes. Unanimous. Motion carried.

Resolved we refer the Employee Handbook and Evaluation Forms to the Rules and Policies Standing Committee to work on as one of their next projects after the Bylaws are completed.

3. **(02:43:01) Employee Contracts and Job Descriptions.** Currently the District does not have employee contracts. Current employees are to prepare a written description of what they are doing and present the descriptions to the Board. The Board will create job descriptions based on what the employees submit.

4. **(02:49:37) Sand Creek Water Rights Update.**

(03:05:17) President Wagner moved to table Sand Creek Water Rights Update. All in favor. All ayes. Unanimous. Motion carried.

Resolved to table Sand Creek Water Rights Update.

5. **(03:05:20) HDR Update.** The Board expects HDR's report to be presented during the January 2021 Board meeting.

6. **(03:05:39) Update on records organization/digitization.** Bookkeeper's records and meeting minutes for Fiscal year 2019 and up are in order. Records and minutes prior to fiscal year 2019 are not organized.

7. **(03:07:03) Update from Attorney Visit with Mr. Hammer.** Mr. Hammer will send an engagement letter to the District.

8. **(03:09:20) Newsletter.** Discussion regarding the length and how much information is to be included in the newsletter, how to distribute the newsletter and the costs associated with copies and postage.

G. (03:15:17) New Business

1. **(03:19:42) Grievance Policy.** The Parliamentarian has already suggested it is more appropriate when someone believes someone else has done them wrong, to go to that person privately (i.e., outside of public meeting) and if that does not resolve it, then bring a second person/witness in to verify the matter privately (i.e., outside of public meeting) before bringing an unresolved matter into the public and using board time. It is here suggested that the President would in most cases be a logical person to approach as a third participant, in the second step of the process. It is therefore requested that the Board require the GMO or any other individual with a disagreement over something they believe another person has done wrong utilize these steps before bringing it to the board, at which time this should be done as an item of new business on the agenda.

(03:25:25) VP Allen moved that this request be referred to the Rules and Policies Standing Committee, aka Sitting Committee, and a formal Grievance Policy be brought back to the Board for vote and that until such time as that happens number sixteen, on page two of this request be utilized as the Board's Grievance Policy. All in favor. All ayes. Unanimous. Motion carried.

Resolved that this request be referred to the Rules and Policies Standing Committee, aka Sitting Committee, and a formal Grievance Policy be brought back to the Board for vote and that until such time as that happens, number sixteen on page two of this request be utilized as the Board's Grievance Policy.

2. **(03:15:27) Online Water School Discussion.** The Backup Operator was not able to attend the Online Water School. GMO thinks it would be better for the Backup Operator to attend the '*In Person*', 2 day training course, but it was held back on December 9th. GMO will submit information to the Board on when the next training session will be offered and the fees. Approximately 10 hours of continuing education credits annually are required to maintain certification.

3. **(03:27:46) President Trump's Executive Order on Modernizing America's Water Resource Management/Water Infrastructure.** VP Allen and CFO Foster expressed importance that in the current shortage of operators GMO can have time off for family vacation if needed and be covered with a qualified operator in his absence. GMO shared that our Backup Operator has been doing a good job and is competent to cover shorter absences by GMO.

4. Legal Document Search Update (titles, deeds, etc.) – Not discussed

5. NextDoor Hungry Horse Website – Not discussed

(03:30:31) President Wagner moved to adjourn until January 21st or until we set a special schedule.

Meeting adjourned at 9:37 pm.

Approved by:

DocuSigned by:
President: Douglas T. Wagner
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Date: 3/29/2021

Respectfully Submitted by:

DocuSigned by:
Secretary: Rita Venable, on behalf of the Hungry Horse County Water District Date: 3/29/2021
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